IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6891 of 1998

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

AMRELI DISTRICT SALES & PURCHASE UNION LTD & ANR.

Versus

STATE OF GUJARAT & ANR.

Appearance:

MR BM MANGUKIYA for Petitioners Nos. 1-2

MR SIRAJ GORI, AGP for Respondent No. 1

Respondent No. 2 SERVED

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 17/02/2003

ORAL JUDGEMENT

The petitioner no.1 before this Court is the Amreli District Sales and Purchase Union Limited, a cooperative society registered as such under the Gujarat Cooperative Societies Act, 1961 (hereinafter referred to as 'the Act').

The petitioners challenge the decision of the State Government communicated vide letter dated 13th August, 1998. The petitioners have also prayed that the respondents be directed to supply all the materials and guidelines framed by the State Government and to furnish the names of the proposed Government nominees sought to be appointed in exercise of powers under sub section 2 of Section 80 of the Act.

The impugned communication dated 13th August, 1998 is in respect of the Amreli Taluka Kharid Vechan Sangh, an another cooperative society. Further, the said communication is addressed to the learned advocate of the said Taluka Kharid Vechan Sangh in answer to some inquiry made/notice given by the said advocate on 11th July, 1998 calling upon the State Government to furnish certain materials. The impugned communication is not a decision of the State Government. On the contrary, the said communication is an intimation of the date of hearing fixed on 20th August, 1998 before the concerned authority.

In above view of the matter, I am of the opinion that the petition is wholly misconceived. As observed hereinabove, the impugned communication dated 13th August, 1998 is in respect of a society other than the petitioner Society and is not a decision of the State Government but, an answer to the notice given by the learned advocate and an intimation of the date of hearing.

The petition is, therefore, dismissed with costs. Rule is discharged. Interim relief is vacated.

(Ms. R.M. Doshit, J.)
/sakkaf